

Beston Jack Abrams

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Trademarks with PHARMA Power

June 3, 2003

Mary Gross
 FDA Center for Drug Evaluation and Research

FAX: 301-443-9664

Dear Ms. Gross:

I would like to respond to question number four re: the June 26 meeting on "Minimizing Medication Errors". As part of the pre-marketing risk management program, there would be a benefit to ask the end user what they think the proposed trademark means, implies or connotes. For example, if the proposed trademark might have unintended meanings this could lead to errors beyond the aural and orthographic issues. We might ask if the proposed trademark should provide internal markers to help guide the user.

This leads to question five. The Influence of Direct To Consumer (DTC) promotional programs for ethical products suggests that product names should respect this DTC development and provide some guidance to the consumer as well as the health professional regarding the product's actions and or benefits. The trademark could signal users to focus more intently on the product and its intended benefits thus reducing medication errors.

I believe these comments would take no more than three to five minutes.

I look forward to meeting you and your colleagues on June 26.

Very truly yours,

Beston Jack Abrams

Beston Jack Abrams
 President ACT, Inc.

BJA/vats

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